

## PATENT

## REMARKS

Applicant appreciates the thorough examination of the application that is reflected in the Office Action dated March 1, 2004. Applicant incorporates the remarks from of the previous response, and to expedite prosecution of this application, Applicant amends claim 32 which was added in the previous response. These amendments to claim 32 are consistent with those discussed with the Examiner during the telephone interview of September 2, 2004. In addition, Applicant amends claims 45 and 46 to correct typographical errors.

Claims 1, 3, 5-12, 16-21, and 25-47 are pending in the application.

Applicant respectfully requests reconsideration of this application.

New claims 32-47

Applicant added new claims 32-47 in the previously filed amendment.

Claim 32 relates to an apparatus operable in at least one of a single carrier system and a multi-carrier system. New claim 32 is supported, for example, by FIG. 5 and the related portion of the specification. To assist the Examiner in understanding how claim 32 reads on the embodiment shown in FIG. 5, Applicant annotates claim 32 below. Applicant notes that the claims should not be construed as being limited to or by this embodiment. Claim 32 requires:

a demultiplexer (50) that demultiplexes a forward link signal (32) into a forward link data stream comprising broadcast channel data including a sync channel message;

a first transmission subsystem (48A), coupled to the demultiplexer, that transmits a first portion of the forward link data stream on a first carrier frequency;

a second transmission subsystem (48B), coupled to the demultiplexer, that transmits a second portion of the forward link data stream on a second carrier frequency; and

a third transmission subsystem (48C), coupled to the demultiplexer, that transmits a third portion of the forward link data stream on a third carrier frequency,

wherein the sync channel message is transmitted on a preferred frequency channel by a selected one of the first, second and third transmission subsystems (48) for transmission at a selected one of the first, second and third carrier frequencies, and

wherein the preferred frequency channel is used for reception of signals by a device receiving the sync channel message and is one of a set of a preferred frequency channels that correspond to a plurality of frequency bands arranged

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such that any combination of three adjacent frequency bands includes the preferred frequency channel. (Emphasis added.)

Applicant submits that the cited references fail to teach or suggest all limitations of claim 32. For example, Applicant submit that the cited references fail to teach or suggest that "the preferred frequency channel is used for reception of signals by a device receiving the sync channel message and is one of a set of a preferred frequency channels that correspond to a plurality of frequency bands arranged such that any combination of three adjacent frequency bands includes the preferred frequency channel," as required by claim 32. In addition, Applicant respectfully submits that dependent claims 33-48 are separately patentable at least by virtue of their dependency from independent claim 32, and also because those claims recite additional features that are not taught or suggested by the cited references.

## REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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